

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DUKHAN MUMIN,

Petitioner,

vs.

SCOTT FRAKES,

Respondent.

**4:16CV3033**

**MEMORANDUM  
AND ORDER**

This closed federal habeas matter under [28 U.S.C. § 2254](#) is before the court on Petitioner Dukhan Mumin’s (“Petitioner” or “Mumin”) “Request for Relief from Judgment as an Independent Action Pursuant to [Fed. R. Civ. Pro. Rule 60\(d\)\(1\)](#)” which the court construes as a motion. ([Filing No. 85.](#)) Mumin’s motion challenges the court’s decisions which “left in place a judgment originating from the Lancaster County District Court in case number CR11-954, from filings in this Court under 4:17cv3164, 4:04-cv-3058, 4:16cv3033, and 8:18-cv-271.” ([Id. at CM/ECF p. 1, ¶ 4.](#)) This matter is closed and currently pending on appeal before the Eighth Circuit Court of Appeals. Upon consideration,

IT IS ORDERED that Petitioner’s “Request for Relief from Judgment as an Independent Action Pursuant to [Fed. R. Civ. Pro. Rule 60\(d\)\(1\)](#)” ([filing no. 85](#)), construed as a motion, is denied.

Dated this 5th day of February, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge